MR. S. CHATTANATHA KARAYALAR (*Pattanapuram cum Shencotta*): Sir, with your kind permission I wish to speak a few words. I am deeply sensible of the honour that this House has chosen to confer upon me by electing me to the office of Deputy President of the Assembly. I am equally conscious of the fact that this is an office of great trust and responsibility. The fact that this House has chosen to elect me unanimously indicates clearly that I enjoy the confidence of all sections of this House, both official and non-official, and this fact will be a great encouragement to me in the discharge of the functions that I have been called upon to assume. I shall only say that I shall endeavour to deserve the confidence that this House has reposed in me and I also give the assurance that I shall endeavour to maintain and preserve the dignity and prestige of this House and uphold its best traditions. In establishing sound and healthy conventions, I trust I can rely upon the hearty cooperation of all sections of this House. I take this opportunity of thanking the Government and all the official and non-official members for the honour they have conferred upon me. Before I conclude, I wish to announce to this House and the public that it is my intention to give to the Travancore University as a donation whatever salary that I may receive as Deputy President. (*Applause*)

LEGISLATIVE BUSINESS.

TRAVANCORE IRRIGATION REGULATION (AMENDMENT) BILL INTRODUCTION OF

PRESIDENT : Law Member.

MR. K. T. THOMAS (*Tiruvalla*) : By way of a suggestion, may I request that the Law Member in introducing the bills will put the Criminal Law (Amendment) Bill as the fourth item instead of as the second item as it will conduce to the progress of the other bills.

PRESIDENT : Yes.

MR. KAYALAM PARAMESVARAN PILLAI : (*Law Member to Government*) : Sir, I rise to introduce a bill to amend the Irrigation Regulation of 1072. The bill has been published in the Gazette with a statement of Objects and Reasons. I now beg to move that the bill be read in the Assembly.

MR. C. V. CHANDRASEKHARAN (*Director of Public Instruction*) : I second it.

MR. KAYALAM PARAMESVARAN PILLAI : Sir, the main purpose of this bill is to carry out the important legislative proposals of the Minor Irrigation Committee. Hon'ble members of this House are aware that a committee was appointed in 1932 or so to go into the question of Minor Irrigation. They made a report and suggested certain legislative proposals for implementing their recommendation. That matter was considered by Government and a bill was duly drafted. Government decided that an Irrigation Department should first be organised before they come to the Legislature with a bill for the legislative proposals. The Department was accordingly organised and Government have gained the experience of its working and the Bill is now placed before the Assembly.

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The Bill proposes various amendments to the Regulation and they are detailed in the notes on clauses appended to the Bill. It is scarcely necessary for me to advert to all those amendments. That will be going too minutely into the details which, perhaps, is not necessary at this stage. I may say that one of the most important changes proposed is to do away with the differentiation between petty and minor irrigation works. It will be seen from the Irrigation Regulation that the cost of the construction and maintenance of the petty works have always been borne by the ryots and not by the Government. As regards what are called minor irrigation works the Government may contribute, or may not, towards the cost of the works and the cost of maintenance of the works, or the maintenance may be undertaken by the Government. Now it is proposed that all these petty irrigation works should be classed as minor irrigation works. That is contained in clauses 2, 3, 6 and 11. The Committee has also recommended to Government that it should be possible for Government to take up the maintenance of minor irrigation works on levying a small cess on the lands benefited. This is one of the most important changes proposed by the Bill. I trust that the House will accept the principle of this Bill.

MR. A. THANU PILLAI (*Trivandrum Town*) : I am very glad to support the principle of the Bill. But I wish to point out one aspect of the Bill that ought to be made clearer. I refer to the duty of Government in maintaining the irrigation tanks in proper condition. We know that most of our irrigation tanks and other works connected with irrigation have gone into disrepair and are practically useless in their present condition. It is as a result of many years' neglect. The irrigation Committee recognises that it is the duty of the Government to maintain these works and keep them in proper condition. I should maintain that this responsibility of Government should be statutorily recognised. After all, it will not cost much to the Government. I think the total expenditure on that account will be somewhere about Rs. 20 to 30 lakhs and that should certainly be made a charge on the revenues of the State and it should be provided that Government is under an obligation to maintain those works in proper condition. The practice now is that Government spend the money initially and recover one-half of it in instalments from the ryots. The committee has recognised the impropriety of realising any portion of the cost from the ryots. I think it is as much a necessity as the construction of roads and bridges. We know that the condition of the agriculturists is pitiable. It is recognised on all hands that he is deeply immersed in debts and that he is not able even to pay the tax. He should therefore be enabled to get as much as possible from his fields. I would suggest that this matter may be considered in the Select Committee and the Law Member should not then raise a point of order that the principle of the Bill does not cover this matter and say that without the sanction of Government the suggestion cannot be considered as it would affect the revenues of the State. The Bill contains a provision also for the levy of a cess for the maintenance of the works. Whether it is proper, expedient and desirable to levy a cess even for maintenance is also a matter that should be left to the Committee to decide. With these words I support the motion.

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MR. K. NARAYANAPERUMAL NADAR (*Tovala* cum *Agasteeswaram*) : I support the principle of the Bill. There are certain defects in the Bill. Sub-section 2 of Section 5 deals with Government levying a cess for maintenance works. Now, the question arises whether Government can levy cess with regard to minor irrigation works. In para 97, of the minor Irrigation Committee Report, it is stated :

> "We, therefore recommend that Government should provisionally be in charge of maintenance also. But, at the same time, it is not advisable to ignore altogether the responsibility of the ryots in the matter.
>
> And so, a small uniform cess of 4 Chs. per acre may be imposed on all wet lands except those in Kuttanad and in places such as the Kodayar Project area in which cess is being collected already and taluks which are specially exempt from contribution on water tax".

Therefore I maintain that it is not desirable to levy a cess in certain parts of the State, particularly in Kuttanad and the lands commanded by the Kodayar Project. There also the Government order is that : –

> "In G. O. No. 6757/L. R & F. dated the 22nd June 1913, Government have laid down that the ryots of Thovala, Agasteeswaram and late Eraniel and Kalkulam taluks should be exempted from the liability to pay half the cost of construction, restoration or repair in the case of minor irrigation works in their taluks."

So that Sub-section 2 of Section 5 exercises a very important function. It affects adversely the interests of the agriculturists in Kuttanad and Nanjinad. Therefore it is a matter which has to be considered very carefully in the Select Committee. There are certain other defects in the Bill which may be cured in the Select Committee.

MR. K. P. KOCHUKORATHARAKAN (*Kunnatnad* cum *Parur*) : സർ, ഇറിഗേഷൻ ഭേഗതി ബില്ലിന്റെ തത്വത്തോട് ഞാൻ യോജിക്കുന്നു. എന്നാൽ ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന ബില്ലിനതന്നെ വളരെ ഭേഗതികളാവശ്യമുണ്ട്. ഇപ്പോഴത്തെ ഇറിഗേഷൻ വ്യവസ്ഥ അനുസരിച്ച് കൃഷിക്ക് ഇറിഗേഷൻ ഡിപ്പാർട്ടുമെന്റിൽനിന്നും വിടുന്ന വെള്ളം ഉപയോഗിക്കുന്നതും ഉപയോഗിക്കാത്തതുമായ നിലമുടമസ്ഥന്മാരുടെ പക്കൽനിന്നും വെള്ളക്കരമീടാക്കുന്നതിനു പ്രയാസമാണ്. അതായത് ഇറിഗേഷൻ കനാലുകളിൽനിന്നും വിടുന്നവെള്ളം ഉപയോഗിക്കുന്നതിനു സൗകര്യമില്ലാത്ത നിലങ്ങൾക്കുപോലും വെള്ളക്കരം ചുമത്തിവരുന്നുണ്ട്. അതായതു വെള്ളം തിരിച്ചു കൊണ്ടുപോകുന്നതിനുള്ള തോടുകളെക്കാൾ ൪-൦ അ-൦ അടി ഉയരത്തിൽ കിടക്കുന്നതും മറ്റുവിധത്തിൽ വെള്ളം ഉപയോഗിച്ച് കൃഷിചെയ്യുവരുന്ന സ്ഥലങ്ങൾക്കുപോലും വെള്ളക്കരം ചുമത്തിവരുന്നതായി എനിക്കറിയാം. അതുകൊണ്ട് സിലക്ട് കമ്മിറ്റി ഈ വക സംഗതികളെല്ലാം ആലോചിച്ച് വെള്ളം ചെല്ലാത്ത സ്ഥലങ്ങളിൽ കരം ചുമത്താതിരിക്കത്തക്കവണ്ണമുള്ള വ്യവസ്ഥകളോടുകൂടെ ഈ ബില്ലിൽ വേണ്ട ഭേഗതികൾ വരുത്തേണ്ടതാണ്.

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MR. KAYALAM PARAMESVARAN PILLAI: Sir, I agree that all the points raised to-day may be considered in the Select Committee if one is appointed. With regard to the minor irrigation works, I am quite at one with Mr. Thanu Pillai in thinking that it is a very important question which affects the larger interests of the ryots. But I must also say that to lay down that the construction of these works should be undertaken by the Government in every case may be imposing a heavy burden on Government which may perhaps cause an undue strain on the finances of the Government. However that matter also may be considered. But I may say that according to the Rules of the House and the Rules of our constitution, any matter which affects the revenue of the State should first receive the sanction of the Dewan. Subject to that limitation, it will be competent to the Committee to consider this question also. So also with regard to Mr. Nadar's point with regard to maintenance.

The motion that the Bill be read in Assembly was put and carried.

The Secretary then read the title of the Bill as "The Travancore Irrigation Regulation (Amendment) Bill."

MR. KAYALAM PARAMESVARAN PILLAI: I beg to move that the Bill be referred to a Select Committee consisting of: —

1. Mr. K. R. Narayanan
2. ,, C. Jebamony Nadar
3. ,, K. P. Kochukora Tharakan
4. ,, E. E. Pandarathil
5. ,, P. C. Adichan
6. ,, R. Narayanan Nambootiri
7. ,, N. Velu Achary
8. ,, T. C. Kesava Pillai
9. ,, M. Ramiah Pillai
10. ,, A. Thanu Pillai, and
11. ,, K. George

to report within four months.

MR. C. V. CHANDRASEKHARAN I second it.

The motion was put and carried.

THE TRAVANCORE COMPANIES REGULATION (AMENDMENT) BILL—INTRODUCTION OF.

MR. KAYALAM PARAMESVARAN PILLAI: Sir, I rise to introduce a Bill to consolidate and amend the law relating to companies in Travancore. It has been publised in the Gazette with a statement of Objects and Reasons. I move that the Bill be read in assembly.

MR. C. V CHANDRASEKHARAN: I second it.

MR. KAYALAM PARAMESVARAN PILLAI: The existing law of Companies is the Travancore Companies Regulation of 1092 which has been drawn on the lines of the then British Indian Law, namely the Indian Companies Act. No VII of 1913. The Indian Act subsequently received some amendments and recently was amended in many and substantial ways with a view, generally speaking, to protect the public and the shareholders of companies. The conditions of Travancore are not very different from that in British India; if at all the Travancore

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